

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
October 5, 2009

- D055812     McNeil Technologies, Inc. v. The Superior Court of San Diego County/Labastida et al.**  
The petition is denied.
- D055144     In re T.V. et al., Juveniles**  
The orders relating to visitation and the termination of jurisdiction are reversed and the matter is remanded to the juvenile court for additional proceedings.  
Nares, J.; We Concur: Huffman, Acting P.J., Aaron, J.
- D055714     I.S. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**  
The attorneys for petitioners I.S. and Maria S. have notified the court that petitions for writs of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.
- D055975     In re Meyers on Habeas Corpus**  
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
October 6, 2009

**D054206     Chau v. Starbucks**

On September 18, 2009, this court requested simultaneous letter briefs addressing why this appeal should not be dismissed as moot in light of the disposition in *Chau v. Starbucks* (2009) 174 Cal.App.4th 688. Associate Justices Haller, McDonald and Irion have read and considered the letter briefs filed by the parties on September 29, 2009. The appeal filed by Starbucks Corporation on November 26, 2008, is dismissed as moot. Appellant's request for judicial notice filed on May 4, 2009, is also moot. Each party to bear its costs on appeal.

**D055122     People v. Jimenez**

The judgment of conviction is affirmed.  
Benke, Acting P.J.; We Concur: Huffman, J., McIntyre, J.

**D054954     People v. Crawford**

The judgment is affirmed. The trial court is directed to resentence Crawford and correct the abstract of judgment in accord with this opinion and forward a certified copy of the amended abstract to the Department of Corrections and Rehabilitation. O'Rourke, J.; We Concur: Nares, Acting P.J., Aaron, J.

**D053933     Wright v. City of San Diego**

The judgment is affirmed.  
O'Rourke, J.; We Concur: Huffman, Acting P.J., McDonald, J.

**D053929     Aronow v. Aronow**

The order is affirmed. Respondent is awarded costs on appeal.  
McConnell, P.J.; We Concur: Huffman, J., Aaron, J.

**D055298     In re Lamont R., a Juvenile**

The appeal is dismissed. Benke, Acting P.J.; We Concur: Haller, J., McDonald, J.

**D055832     Michael S. v. Superior Court of San Diego County/Summer D.**

The petition is denied.

**D055856     In re Dodson on Habeas Corpus**

The petition is denied.

**D055800     In re Thomas on Habeas Corpus**

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
October 6, 2009 (Continued)

**D055187    Hamzey, Jr. et al. v. California Department of Insurance**  
Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 8.220(a). The appeal is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
October 7, 2009

- D053743     Rivkin v. Kennerson & Grant LLP et al.**  
The judgment is affirmed. Respondents are awarded costs on appeal.  
McConnell, P.J.; We Concur: Benke, J., Huffman, J.
- D055954     In re Patterson on Habeas Corpus**  
The petition is denied.
- D055743     In re Schlappi on Habeas Corpus**  
The petition is denied.
- D055471     In re Baby Boy O., a Juvenile**  
The appeal is dismissed.  
Huffman, Acting P.J., We Concur: Haller, J., McDonald, J.
- D055496     In re Vaughn on Habeas Corpus**  
The petition is denied.
- D053162     Fariba v. Dealer Services Corporation**  
The judgment is affirmed. Fariba shall recover his costs on appeal. CERTIFIED  
FOR PUBLICATION. Nares, J.; We Concur: Benke, Acting P.J., Haller, J.
- D054917     Gill v. Gagliani**  
Upon written stipulation filed by the parties to the appeal, the appeal is dismissed  
and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule  
8.244(c)(2).) Each party to bear own costs on appeal.
- D055995     R.J. a Minor v. Superior Court of San Diego County/CIF**  
The petition is denied.
- D054460     United States Fidelity & Guaranty Company et al. v. Novapro Risk Solutions,  
L.P.**  
Upon written stipulation filed by the parties to the appeal, the appeal is dismissed  
and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule  
8.244(c)(2).) Each party to bear own costs on appeal.

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**D055212     In re Jazmin G., a Juvenile**

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Nares, J., Aaron, J.

**D053983     People v. Cachora**

The judgment is affirmed. Huffman, J.; We Concur: McConnell, P.J., Haller, J.

**D055098     In re L.N., a Juvenile**

The orders are affirmed. Nares, J.; We Concur: Benke, Acting P.J., Haller, J.

**D054830     In re Calvin P. et al., Juveniles**

The order to provide family maintenance services for Father and the children is affirmed. The order to provide family maintenance services for Mother is reversed. The juvenile court is directed to vacate the order requiring family maintenance services for Mother and to order the Agency to implement the June 9, 2009, order that she be provided reasonable reunification services.<sup>3</sup>

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<sup>3</sup> If, at a family maintenance review hearing, the juvenile court determines under section 364, subdivision (c), that conditions no longer exist to justify continued juvenile court jurisdiction, the juvenile court has the authority to terminate Mother's reunification services.

McDonald, J.; We Concur: Benke, Acting P.J., McIntyre, J.

**D054355     Pineda v. Williams-Sonoma Stores, Inc.**

The judgment is affirmed. The respondent is entitled to recover its costs on appeal. McIntyre, J.; We Concur: Benke, Acting P.J., Huffman, J.

**D055691     People v. Bolton et al.**

The judgment is modified to delete the findings of the allegation under section 12022.53, subdivision (b) and (e)(1) as to Keel. The trial court is directed to amend the abstract of judgment to reflect the deletion of the enhancement as to Keel and to forward an amended abstract to the Department of Corrections and Rehabilitation. In all other respects the judgment is affirmed. Huffman, J.; We Concur: McConnell, P.J., McDonald, J.

**D053050     In re the Marriage of Dolansky/Overton**

The petition for rehearing is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
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DIVISION ONE

October 8, 2009 (Continued)

**D053873 Hermiz et al. v. Brenex, LLC/Asaro**

**D053873 Hermiz et al. v. Asaro et al.**

The judgment is affirmed. Asaro is awarded costs on appeal.  
Huffman, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

**D055468 People v. Zettel**

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)

**D056011 Pasulka v. Superior Court of San Diego County/Pasulka et al.**

The petition is denied.

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October 9, 2009

- D054906     In re Peter C., a Juvenile**  
The orders are affirmed. Aaron, J.; We Concur: McConnell, P.J., O'Rourke, J.
- D053997     People v. Matias**  
The judgment is affirmed. Haller, Acting P.J.; We Concur: McIntyre, J., Irion, J.
- D054656     People v. Bolson**  
The judgment is affirmed. O'Rourke, J.; We Concur: Nares, Acting P.J., Haller, J.
- D054084     Betancourt et al. v. A.M. Ortega Construction, Inc.**  
The order is affirmed. Employees are entitled to costs on appeal.  
McDonald, J.; We Concur: McConnell, P.J., O'Rourke, J.
- D053580     Sycamore Ridge Apartments, LLC v. Naumann et al.**  
The order is affirmed. Respondents are awarded costs on appeal.  
McConnell, P.J.; We Concur: McDonald, J., Aaron, J.
- D054668     In re H.L. et al., Juveniles**  
The orders are affirmed. Nares, Acting P.J.; We Concur: McDonald, J., Aaron, J.
- D054286     People v. Hardin**  
The judgment is modified to dismiss count 3 and is affirmed as so modified.  
The superior court is directed to prepare a new abstract of judgment in accordance  
herewith and to forward a copy of the amended abstract to the Department of  
Corrections.
- D055524     Hartnett v. San Diego County Office of Education et al.**  
The letter briefs filed by appellants on October 1, 2009, and respondent on  
September 25, 2009, in response to this court's September 22, 2009, order  
have been read and considered by Presiding Justice McConnell and  
Associate Justices Nares and Haller.
- The appeal is dismissed.
- Appellants' alternative request to treat the appeal as a writ is denied.
- The petition for writ of supersedeas is denied as moot in light of the dismissal of the  
appeal.
- D054501     In re Montgomery on Habeas Corpus**  
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
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October 9, 2009 (Continued)

**D055983     In re Hurlbert on Habeas Corpus**

The petition for writ of habeas corpus has been read and considered by Presiding Justice McConnell and Associate Justices Haller and Aaron.

It appears that the issues Grant Hurlbert raises in this petition are cognizable on his direct appeal (D055637). The petition is denied.

The clerk is directed to forward a copy of the petition and this order to the attorney representing Hurlbert in his direct appeal.

**D053808     People v. Bleich**

The order denying Bleich's petition to seal and/or destroy her arrest records is affirmed. Benke, Acting P.J.; We Concur: McIntyre, J., Irion, J.

**D055899     In re Brockus on Habeas Corpus**

The petition is denied.

**D055779     Basurto v. Superior Court of Imperial County/Imperial Irrigation District**

The petition is denied.

**D055689     In re Durant on Habeas Corpus**

The petition is denied. The request for appointed counsel is denied.

**D055857     In re Thigpenn on Habeas Corpus**

The petition is denied.

**D055948     In re Reams on Habeas Corpus**

The petition is denied.

**D055918     In re Smith on Habeas Corpus**

The petition is denied.